

John Boehner  
Chairman  
8th District, Ohio

*House Meets at 10:00 a.m. for Legislative Business*

*Anticipated Floor Action:*

**H.R. 2515—Forest Recovery and Protection Act**



**H.R. 2515—Forest Recovery and Protection Act**

**Floor Situation:** The House is scheduled to consider H.R. 2515 as its first order of business today. Yesterday, the House adopted an open rule that provides one hour of general debate, equally divided between the chairman and ranking minority member of the Agriculture Committee. The rule makes in order a committee amendment in the nature of a substitute (H.R. 3530) as base text and accords priority in recognition to members who have their amendments pre-printed in the *Congressional Record*. The chairman of the Committee of the Whole may postpone votes and reduce the voting time on a postponed vote to five minutes, provided that it follows a regular 15-minute vote. Finally, the rule provides one motion to recommit, with or without instructions.

**Summary:** H.R. 2515 creates a national, five-year pilot program to restore forest health by directing the Agriculture Secretary (acting through the Forest Service) to systematically identify and prioritize forest recovery areas at greatest risk of loss to wildfire, insect infestations, and disease, and then conduct recovery projects in those areas. In addition, the bill (1) establishes a scientific advisory panel to assist the secretary in administering the program; (2) directs the secretary to conduct an initial number of advance recovery projects, (3) establishes a revolving Forest Recovery and Protection Fund within the U.S. Treasury to finance recovery projects; and (4) directs the secretary to establish a program to inventory, monitor, and analyze forest health. The bill applies only to Forest Service lands, not to Bureau of Land Management forests.

The substitute makes a number of changes to the bill. Specifically, the substitute (1) requires public notice and comment on the standards and criteria for identifying recovery areas; (2) establishes a one-time process, including a public notice and comment period, for identifying recovery areas. The Agriculture Secretary may not amend the final list of recovery areas during implementation of the national program; (3) replaces the deadlines for final decisions on recovery projects with a 30-day

deadline by which project planning for recovery projects must begin; (4) simplifies the annual reports that the secretary must submit to Congress; (5) states affirmatively that all recovery projects and other actions required by the bill may not be exempted from any federal law; (6) authorizes \$500,000 annually from the Forest Recovery and Protection Fund to monitor recovery projects; (7) prohibits the use of the Forest Recovery and Protection Fund to construct new, permanent roads; (8) requires that all revenue generated by recovery projects be paid to states for schools and local roads; and (9) removes the one-time public petition process (the public process is preserved through the notice and comment period when identifying recovery areas).

Assuming appropriation of the estimated amounts, CBO estimates that enactment of H.R. 2515 will result in additional discretionary outlays of approximately \$14 million in FY 1999 and approximately \$86 million over the FY 1999-2003 period. In addition, CBO estimates that enactment will decrease direct spending by about \$7 million over the FY 1999-2003 period. The Agriculture Committee reported the bill by voice vote.

**Views:** The Republican leadership supports passage of the measure. The Clinton Administration opposes the bill.

**Amendments:** At press time, the *Legislative Digest* was aware of the following amendments to H.R. 2515:

**Mr. Boehlert** may offer an amendment to prohibit the use of the Forest Recovery and Protection Fund to construct any new roads (permanent or temporary). Currently, the bill only prohibits the use of the fund to construct new, *permanent* roads. **Staff Contact:** *David Goldston, x5-3665*

**Mr. Brown (CA)** may offer an amendment (#1) to prohibit commercial timber sales from being conducted as part of any recovery project. **Staff Contact:** *Dana DuBose, x5-6161*

**Mrs. Chenoweth** may offer an amendment (#3) to strike the provision in the bill that prohibits the use of the Forest Recovery and Protection Fund to construct new, permanent roads. **Staff Contact:** *Greg Peek, x5-6611*

**Ms. Furse** may offer an amendment (#7) to redefine the activities that may be considered a “recovery project” in the bill. The amendment defines a recovery project to include the following activities: restoring native vegetative cover, prescribed burns, stabilizing and recontouring slopes, decommissioning and obliterating roads, removing man-made barriers to fish spawning runs, improving riparian areas and other habitat, and performing soil stabilization and other water quality improvements. **Staff Contact:** *Chris Porter, x5-0855*

**Ms. Furse** may offer an amendment (#8) to authorize \$50 million annually (as opposed to \$500,000 in the bill) from the Forest Recovery and Protection Fund to monitor recovery projects. **Staff Contact:** *Chris Porter, x5-0855*

**Messrs. Miller (CA), Brown (CA), or Vento** may offer an amendment (#10, #2, or #15) to require that funding disbursements from the Forest Recovery and Protection Fund be subject to annual appropriations, thus striking the provision in the bill that allows the Agriculture Secretary to finance forest recovery projects from the fund without an advanced appropriation. **Staff Contacts:** *Jeff Petrich (Miller), x5-6065; Dana DuBose (Brown), x5-6161; Terry Klein (Vento), x5-6631*

**Mr. Miller (CA), Mr. Vento, or Ms. Furse** may offer an amendment (#11, #16, or #9) to prohibit the use of the Forest Recovery and Protection Fund to construct any new roads (permanent or temporary). Currently, the bill only prohibits the use of the fund to construct new, *permanent* roads. **Staff Contact:** *Jeff Petrich (Miller), x5-6065; Terry Klein (Vento), x5-6631; Chris Porter (Furse), x5-0855*

**Mr. Miller (CA)** may offer an amendment (#12) to strike the requirement that all revenue generated by recovery projects be paid to states for schools and local roads and instead require that those revenues be deposited in the U.S. Treasury. **Staff Contact:** *Jeff Petrich, x5-6065*

**Mr. Radanovich or Mrs. Chenoweth** may offer an amendment (#13, #4, #5, or #6) to strike the provision in the bill that prohibits the use of any funds to construct new, permanent roads and replace it with a provision that eliminates purchaser road credits in connection with forest recovery projects. Specifically, the amendment requires the Agriculture Secretary to carry out road construction in the same manner that the Interior Secretary conducts the roads program for forest lands under the jurisdiction of the Bureau of Land Management. The amendment precludes the Forest Service from subsidizing road construction by a private timber company in the event that a forest recovery project includes a commercial timber harvest. **Staff Contact:** *Tom Pyle (Radanovich), x5-4540; Greg Peek (Chenoweth), x5-6611*

**Mr. Vento** may offer an amendment (#14) to require the Agriculture Secretary to provide a 60-day period (as opposed to 45 days in the bill) to allow public comments on proposed standards and criteria to identify and prioritize recovery areas, as well as proposed recovery areas identified as priorities. **Staff Contact:** *Terry Klein, x5-6631*

**Additional Information:** See *Legislative Digest*, Vol. XXVI, #7, March 20, 1998.



PLEASE NOTE: UNDER AN OPEN RULE, MEMBERS MAY OFFER NEW AMENDMENTS TO A BILL AT ANY TIME, REGARDLESS OF WHETHER THEY HAVE BEEN PRE-PRINTED IN THE *CONGRESSIONAL RECORD*.

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Please attach the text of the amendment (if available) and fax to the *Legislative Digest* at x5-7298

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John Boehner  
Chairman  
8th District, Ohio

Member Sponsoring Amendment: \_\_\_\_\_ Bill #: \_\_\_\_\_

Additional Co-sponsors (if any): \_\_\_\_\_

Staff Contact: \_\_\_\_\_ Phone #: \_\_\_\_\_ Evening Phone #: \_\_\_\_\_

Description of the amendment: \_\_\_\_\_

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(Please include any additional or contextual information)

Reason for offering amendment (e.g., How will this change the bill or current law? Why should members support this change?): \_\_\_\_\_

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*Legislative Digest reserves the right to edit descriptions for style, readability, and provisional accuracy.*

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